

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE:

EX PARTE APPLICATION OF MARIA
CLAUDIA BELDI, MARIA INES BELDI,
AND ANTONIO FABIO BELDI TO TAKE
DISCOVERY FOR USE IN A FOREIGN
PROCEEDING UNDER 28 U.S.C. § 1782

CASE NO.:

24-mc-421 (VEC)

~~[PROPOSED]~~ ORDER RE PETITION FOR
DISCOVERY PURSUANT TO 28 U.S.C. § 1782

Upon consideration of the *Ex Parte* Application of Maria Claudia Beldi, Maria Inês Beldi, and Antonio Fábio Beldi (collectively “Applicants”) to Take Discovery for Use in a Foreign Proceeding Under 28 U.S.C. § 1782 (“the Application”) from Federal Reserve Bank of New York, The Clearing House Payments Company LLC, Citibank N.A., Deutsche Bank AG, HSBC Bank (USA) NA, JP Morgan Chase Bank N.A., Standard Chartered Bank, and The Bank of New York Mellon (collectively “Subpoena Recipients”), and the papers filed in support thereof, this Court finds that: (1) the statutory requirements of 28 U.S.C. § 1782 are satisfied; and (2) the factors identified by the United States Supreme Court in *Intel Corp. v. Advanced Micro Devices, Inc.*, 542 U.S. 241 (2004), weigh in favor of granting the Application.

It is therefore **ORDERED** that:

- (1) the Application is **GRANTED**;
- (2) Applicants are authorized to serve the subpoena attached as Exhibit A to the Declaration of Alexander H. Shapiro upon The Federal Reserve Bank of New York;
- (3) Applicants are authorized to serve the subpoena attached as Exhibit B to the Declaration of Alexander H. Shapiro upon the Clearing House Payment Company L.L.C.;

- (4) Applicants are authorized to serve the subpoena attached as Exhibit C to the Declaration of Alexander H. Shapiro upon Citibank N.A.;
- (5) Applicants are authorized to serve the subpoena attached as Exhibit D to the Declaration of Alexander H. Shapiro upon Deutsche Bank Trust Co. Americas;
- (6) Applicants are authorized to serve the subpoena attached as Exhibit E to the Declaration of Alexander H. Shapiro upon HSBC Bank (USA) N.A.;
- (7) Applicants are authorized to serve the subpoena attached as Exhibit F to the Declaration of Alexander H. Shapiro upon JP Morgan Chase Bank N.A.;
- (8) Applicants are authorized to serve the subpoena attached as Exhibit G to the Declaration of Alexander H. Shapiro upon Standard Chartered Bank;
- (9) Applicants are authorized to serve the subpoena attached as Exhibit H to the Declaration of Alexander H. Shapiro upon The Bank of New York Mellon; and
- (10) The Federal Reserve Bank of New York, The Clearing House Payments Company LLC, Citibank N.A., Deutsche Bank AG, HSBC Bank (USA) NA, JP Morgan Chase Bank N.A., Standard Chartered Bank, and The Bank of New York Mellon are directed to respond to such subpoenas pursuant to the Federal Rules of Civil Procedure and the Local Civil Rules of this Court, and to produce the documents in their possession, custody, and control, as requested in the applicable subpoenas, by no later than thirty (30) days after service.

IT IS FURTHER ORDERED that the foregoing is without prejudice to the rights of the subpoenaed entities to file a motion to vacate or quash. Such motions must be filed not later than **November 6, 2024**. Applicants' response to any such motion is due no later than **November 20, 2024**; replies are due no later than **November 27, 2024**. The deadline to serve the subpoenas as described herein is **October 3, 2024**.

SO ORDERED.

 9/23/2024

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE